

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE EASTERN DISTRICT OF VIRGINIA
3 NORFOLK DIVISION

4 -----
5 DOUGLAS I. HORNSBY, ADMINISTRATOR
6 OF THE ESTATE OF CYNTHIA GARY,

7 Plaintiff,

8 -vs-

9 UNITED STATE OF AMERICA,

10 Defendant and Third-Party Plaintiff,

11 -vs-

12 METRO MACHINE CORP.,
13 d/b/a GENERAL DYNAMICS NASSCO-NORFOLK
and
14 ADVANCED INTEGRATED TECHNOLOGIES, LLC,

15 Third-Party Defendants.
16 -----

CASE NO. :
2:22cv427

17
18 Deposition of GSM1 Austin Roberts
19 Taken on behalf of plaintiff.

20 Date: September 25, 2024

21 CONDUCTED REMOTELY VIA ZOOM

22
23
24
25 Reported by: Robin L. Delloro, R.P.R.

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1 before.

2 MR. HENDRICK: Can we mark this as Exhibit No. 1,
3 please.

4

5 (The document bearing Bates No. US000194 was
6 marked for identification as Roberts Deposition Exhibit No. 1.)

7

8 MR. HENDRICK: Thank you.

9

10 BY MR. HENDRICK:

11 Q Okay. Mr. Roberts, that line item record sheet,
12 is this related to the tag-out of a blow-in door on the *McFaul*?

13 A Yes.

14 Q Do you see your name on this sheet?

15 A Yes.

16 Q And am I reading this correctly that you are the
17 second person on this tag-out?

18 A I am the second checker.

19 Q Second checker? Can you tell me what your
20 responsibilities were as the second checker.

21 A The second checker is verifying the P01C,
22 verifying the validation before building -- before hanging the
23 tags.

24 Q And you mentioned P01C. Does that mean petty
25 officer in charge?

1 A That is also another sheet attached to a LIRs.
2 MR. HENDRICK: Can we mark that as Exhibit 2,
3 please.

4
5 (The document bearing Bates No. US0002877 was
6 marked for identification as Roberts Deposition Exhibit No. 2.)

7
8 BY MR. HENDRICK:

9 Q Okay. There's some initials on this sheet. Do
10 you know if either of those are yours?

11 A The posting checked by.

12 Q Okay. And what does it mean that you initialed
13 under "posting checked by"?

14 A Basically the second signer. It is another
15 validation check that you make sure that the tags are hanging.

16 Q You said make sure the tags are hanging. Did you
17 actually go out and see if the tags were hung before you signed
18 this?

19 A Yes.

20 Q So this is, I guess, separate from what we talked
21 about before where you were looking at the documentation? Now
22 you're going to go through to actually see that had been
23 carried out?

24 A Yes.

25 Q Probably pretty obvious, but can you tell me what

1 A Yes.

2 Q When you said you went to verify the tag was
3 hung, you would go to the room, look at the switch, and make
4 sure the tag is hanging?

5 A Yeah, at the time that the was hanging.

6 Q Are you familiar with how the switch for the
7 blow-in door operates?

8 A Mechanically, yes.

9 Q Have you ever been -- have you ever been the one
10 to actually turn the switch to operate the blow-in door?

11 A For PMS purposes, yes.

12 Q PMS was maintenance?

13 A Yeah, preventative maintenance.

14 Q Okay. So the switch here says push to turn.
15 You understand that's how the switch operates?

16 A Yes.

17 Q And what exactly does that mean, push to turn?

18 A You push in the switch, and then you turn it,
19 physically push in that switch, and then you either go whatever
20 setting on there that you want it to go.

21 Q How far do you have to push it in?

22 A I didn't have a ruler on me whenever I push it
23 in.

24 Q When you were verifying that this tag-out had
25 been done, did you verify that the switch was turned to the

1 proper position?

2 A Yes.

3 Q Did you do anything to make sure the switch was
4 operating properly?

5 A I did exactly what it told me to do on the thing,
6 and I pushed it in -- well, whenever I go there, it's already
7 in the correct position. I am validating it. You would have
8 to ask whoever operated at the time, but whenever I operate it,
9 I push it in.

10 Q So regarding this particular tag-out, you were
11 the second checker; so you were not the one who would have
12 actually turned the switch to open?

13 A No.

14 Q Would that have been the first person who I think
15 was listed as Mr. Crespo?

16 A Correct.

17 Q So when you came by as a checker to check that
18 the switch was turned to the proper position, did you do
19 anything to check to make sure the switch was operating
20 properly?

21 A No. That is not in our -- no.

22 Q Were you aware at the time of any problems with
23 how the switch operated?

24 A No.

25 Q Did you learn after March 15 of '21 that there